

but shall not operate as such waiver or extinguishment as against the owner or as against third persons with notice.

As to motor vehicles, see art. 56, sec. 145, *et seq.*

Lien for repairs, etc., is subordinate to holder of conditional sales contract; provision of contract. See art. 21, sec. 71. *Goldenberg v. Finance & Credit Co.*, 150 Md. 301.

Priority upon certain specified documents of title over the lien created in favor of garagemen, had no reference to conditional sales contracts of non-resident vendee, while driving an automobile in temporary use of the highways of the state. *Credit Co. v. Marks*, 164 Md. 140.

An. Code, 1924, sec. 55. 1924, ch. 417, sec. 55. 1939, ch. 754, sec. 55.

42. Should the owner dispute the amount of the charge, or any part thereof, for which the lien is claimed as aforesaid, such dispute may be determined by appropriate legal proceedings, and the institution of any such legal proceedings shall operate as a stay of execution under said lien until the amount thereof shall have been judicially determined, or the owner of such motor vehicle shall have the right to immediately repossess himself of his said motor vehicle upon filing a good and sufficient corporate bond, in double the amount of said claim, with the Clerk of the Circuit Court for the County, or with the Clerk of the Circuit Court of Baltimore City, where the corporation, firm, individual, association, or person, claiming such lien may have repaired or stored said motor vehicle, which said bond shall be approved by the Clerk of said Court, and which said bond shall be conditioned upon the payment of the full amount of any final judgment which may be recovered upon such claim, together with interest, and all costs incident to any such suit, and any costs and expenses which may have been incurred in connection with the enforcement of such lien up to the time that such lien claimant is notified of the filing of such bond. And the filing of such bond shall operate as a stay of execution under said lien until the amount thereof shall have been judicially determined; and in any such suit against the owner of said motor vehicle by such lien claimant after filing of such bond, if any defendant is returned *non est*, service may be secured by publication as in the case of a suit against a non-resident, provided, however, that suit be instituted within six months from the presentation of said bond, otherwise the bond is to be null and void.

An. Code, 1924, sec. 56. 1924, ch. 417, sec. 56.

43. Any corporation, firm, individual, association or person who may have a lien under this sub-title on any motor vehicle or part thereof for repairs, rebuilding or storage, or having furnished for or on account of said motor vehicle and parts, accessories or tires may, if the account is due and unpaid for a period of thirty days and if the lienor still retains possession of the same, sell said motor vehicle or part thereof at public sale at some place which shall be convenient and accessible to the public at any time between the hours of 10 o'clock A. M. and 6 o'clock P. M., provided the time, place and terms of said sale, together with a full detailed description of said motor vehicle or part thereof shall be inserted in one or more daily newspapers published in the city or county where said sale is to take place at least once each week for two successive weeks prior to said sale; and provided further, that a registered notice shall be mailed at least ten days prior to said sale to the owner of said motor vehicle or part thereof, if his address be known, or if it can be ascertained by the exercise of reasonable diligence, or by mailing said notice by registered mail to the person who gave the order for said repairs, storage, rebuilding, parts, accessories, or